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6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

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9 JAMES MATLEAN,

Case No. 3:16-cv-00233-HDM-VPC

10 v. Petitioner,

ORDER

11 BRIAN WILLIAMS, et al.,

12 Respondents.

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14 This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. §
15 2254, by a Nevada state prisoner. On April 5, 2017, this court granted petitioner's
16 motion for counsel and appointed the Federal Public Defender to represent petitioner in
17 this action (ECF No. 12). On May 5, 2017, Jeremy Charles Baron of the Federal Public
18 Defender's Office appeared on behalf of petitioner (ECF No. 14). The court now sets a
19 schedule for further proceedings in this action.

20 **IT IS THEREFORE ORDERED** that counsel for petitioner shall meet with
21 petitioner as soon as reasonably possible, if counsel has not already done so, to: (a)
22 review the procedures applicable in cases under 28 U.S.C. § 2254; (b) discuss and
23 explore with petitioner, as fully as possible, the potential grounds for habeas corpus
24 relief in petitioner's case; and (c) advise petitioner that all possible grounds for habeas
25 corpus relief must be raised at this time in this action and that the failure to do so will
26 likely result in any omitted grounds being barred from future review.

27 **IT IS FURTHER ORDERED** that petitioner shall have **ninety (90) days** from the
28 date of this order to FILE AND SERVE on respondents an amended petition for writ of

habeas corpus, which shall include all known grounds for relief (both exhausted and unexhausted).

IT IS FURTHER ORDERED that respondents shall have **forty-five (45) days** after service of an amended petition within which to answer, or otherwise respond to, the amended petition. If petitioner does not file an amended petition, respondents shall have forty-five (45) days from the date on which the amended petition is due within which to answer, or otherwise respond to, petitioner's original petition.

IT IS FURTHER ORDERED that, if and when respondents file an answer or other responsive pleading, petitioner shall have **thirty (30) days** after service of the answer or responsive pleading to file and serve his response.

IT IS FURTHER ORDERED that any state court record exhibits filed by the parties herein shall be filed with an index of exhibits identifying the exhibits by number or letter. The CM/ECF attachments that are filed shall further be identified by the number or numbers (or letter or letters) of the exhibits in the attachment.

IT IS FURTHER ORDERED that the parties **SHALL SEND** courtesy copies of all exhibits to the Reno Division of this court. Courtesy copies shall be mailed to the Clerk of Court, 400 S. Virginia St., Reno, NV, 89501, and directed to the attention of "Staff Attorney" on the outside of the mailing address label. Additionally, in the future, all parties shall provide courtesy copies of any additional exhibits submitted to the court in this case, in the manner described above.

IT IS FURTHER ORDERED that respondents' motion for extension of time to file a responsive pleading (ECF No. 11) is **DENIED** as moot.

DATED: May 25, 2017.

Howard D McKibben
HOWARD D. MCKIBBEN
UNITED STATES DISTRICT JUDGE